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ISAACS *v.* ISAACS et al.,

Nov. 20, 1913.

[79 S. E. 1072.]

Divorce (§ 256*)—Decree for Alimony—Lien of Decree.—Where a wife was given a decree of divorce from bed and board, with an award of a specified monthly sum as permanent alimony, and decreeing a lien on the husband's lands therefor, as well as for the unpaid temporary alimony formerly granted and for counsel fees and costs, such lien cannot be affected by a decree of absolute divorce rendered in another state in favor of the husband, even though the foreign court had jurisdiction of the parties.

[Ed. Note.—For other cases, see Divorce, Cent. Dig. §§ 725, 726; Dec. Dig. § 256.* 1 Va.-W. Va. Enc. Dig. 297; 14 Va.-W. Va. Enc. Dig. 39; 15 Va.-W. Va. Enc. Dig. 37.]

Appeal from Circuit Court, Russell County.

Suit by S. F. Isaacs, as guardian, against G. G. Isaacs, in which Minnie L. Isaacs, who was made a party defendant, filed a cross-bill against S. F. Isaacs and others. From a judgment for complainant, defendants appeal. Reversed.

Vicars & Peery, of Wise, and *W. W. Bird* and *Routh & Routh*, all of Lebanon, for appellants.

Finney & Wilson, for appellee.

DENNIS *v.* JUSTUS et al.

Nov. 20, 1913.

[79 S. E. 1077.]

1. Equity (§ 226*)—Pleading—Objections to Bill—Multifariousness.—The court should dismiss a bill for multifariousness on its own motion, though not objected to on that ground by defendant, so that it was immaterial that an objection of multifariousness was made by only one of defendants.

[Ed. Note.—For other cases, see Equity, Cent. Dig. § 504; Dec. Dig. § 226.* 10 Va.-W. Va. Enc. Dig. 144; 14 Va.-W. Va. Enc. Dig. 743; 15 Va.-W. Va. Enc. Dig. 707.]

2. Equity (§ 148*)—Bill—"Multifariousness."—"Multifariousness" in a bill means the improper joining therein of distinct and independent matters, as the union of several unconnected matters against one defendant or the demand of several distinct and independent matters against several defendants.

[Ed. Note.—For other cases, see Equity, Cent. Dig. §§ 341-367;

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.